

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
v.	)	CRIMINAL NO. 04-10306 PBS
	)	
TREVOR CHARLTON	)	

DEFENDANT'S ASSENTED-TO MOTION FOR  
FURTHER TIME TO FILE SUBSTANTIVE MOTIONS, AND  
TO CONVERT FINAL STATUS CONFERENCE TO  
AN INTERIM STATUS CONFERENCE

Defendant, with the assent of the government, respectfully moves this Court for further time to file substantive motions in this case. Further, defendant, with the assent of the government, respectfully moves that the Final Status Conference, scheduled for January 5, 2005 at 11:15 a.m., be converted to an Interim Status Conference, at which time dates for filing motions and a date for a Final Status Conference may be established.

As grounds for this motion, defendant states as follows:

1. Defendant is charged in a one-count indictment with being a felon in possession of a firearm. Undersigned counsel was appointed to represent defendant on the date of defendant's arraignment, October 6, 2004. Discovery was provided on or about November 24, 2005.
2. Defendant may, if convicted, be considered an Armed Career Criminal. The potential penalties in this case are therefore quite substantial.
3. Undersigned counsel expects to file at least two substantive motions in this case: a motion to suppress physical evidence and a motion to suppress statements of defendant.

4. At the initial status conference in this matter, held November 17, 2004, the Court set December 21, 2004 as a date for defendant to file substantive motions. The Court scheduled a Final Status Conference for January 5, 2004 at 11:15 a.m.

5. Undersigned counsel has been unable to complete and file the substantive motions, primarily because of constraints upon investigator resources at the Federal Defender Office in the weeks leading up to the holiday season.

6. Undersigned counsel seeks an additional six weeks to thoroughly review the discovery, investigate claims relating to the prospective motions to suppress, and adequately prepare those motions.

Defendant will assent to the exclusion of time from the Speedy Trial calculation for any period of delay caused by the Court's granting this motion.

Assistant United States Attorney Robert E. Richardson assents to this motion.

TREVOR CHARLTON,  
By his attorney,

/s/ J. Martin Richey  
J. Martin Richey  
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January 3, 2005